

### REMARKS

Applicants have thoroughly considered the Examiner's remarks in the August 13, 2009 Office action and have amended the application to more clearly set forth aspects of the claims. This Amendment E amends claims 1, 9, 17, and 20. No new matter has been added. Therefore, claims 1-5, 8-13, and 16-22 are presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

Applicants respectfully acknowledge the withdrawal of the rejections of claims 17-19 under 35 U.S.C. §101 and rejections of claim 9 under 35 U.S.C. §112, first paragraph.

#### **Claim Rejections under 35 USC §103(a)**

Claims 1-4, 8-12, 16-18, and 20-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Pat. No. 7,127,513 to Pabla et al. in view of US Pat. No. 7,024,690 to Young et al., and further in view of US Pat. Pub. No. 2003/0177194 to Crocker et al. Applicants respectfully acknowledge the withdrawal of the rejections of claims 1-5, 8-13, and 16-20 in light of Amendment D, filed April 27, 2009. And Applicants respectfully submit that the combined references of Pabla, Young, and Crocker asserted in the present Office action also fail to teach or suggest each and every element of the amended claims.

Embodiments set forth in the exemplary amended claim 1 provide a two-channel security for P2P communication between two clients. By sending e-mail messages with the digital object via an e-mail protocol communication, aspects of claims prevent eavesdropping for the authentication key. Under the implementation of the various embodiments, someone who attempts to intercept the authentication information via the P2P communication would not be able to know the authentication key because the authentication information is not transmitted via the P2P communication. At the same time, the authentication sent to the last known e-mail address is also not used for authenticating the e-mail messages. Instead, the authentication is used for authenticating information exchanged under the P2P communication. Via such arrangements, the exchange of the authentication information, such as the digital object recited in the claims, is further secured.

In addition to the arguments previously presented, Applicants respectfully submit that Crocker fails to cure the deficiencies of Pabla and Young. Crocker's system merely describes

how to include a new data replication system (DRS) to be transmitted via the e-mail protocol SMTP. Crocker, paragraph [0033]. In essence, Crocker merely develops a new use of “an x-header in MIME format to **distinguish DRS messages from ordinary e-mail messages to encode their content**” (emphasis added). Crocker, paragraph [0046]. The Office further cites Crocker’s paragraph [0101] for providing security to the transmission via the use of the DRS messages. However, Crocker’s paragraph [010] merely describes using the DRS to include a key exchange process to provide security **for the e-mail messages**, not the underlying P2P communication as recited in the amended claim 1.

In other words, amended claim 1 specifically recites that “said digital object **authenticating the information to be exchanged between the first client and the second client via the P2P communication and not authenticating the first e-mail message, the second e-mail message, or the third e-mail message**” (emphasis added). That is, amended claim 1 specifically indicates that the authentication is used for the information exchanged between the first client and the second client via the P2P communication and not for authenticating the e-mail messages. Crocker disclosure is directly contrary to the claim recitation.

Moreover, Applicants renew arguments that Pabla does not establish a separate e-mail protocol communication for the P2P clients to exchange information in response to recognizing the P2P communication between the first client and the second client. Pabla merely discloses trying to establish a secured chat session such that two or more peers in the P2P communication can exchange secured messages.

Therefore, Applicants respectfully submit that the combined references of Pabla, Young, and Crocker fail to disclose or suggest each and every element of the amended claims. Hence, the rejection of claims 1-4 and 8 under 35 U.S.C. §103(a) should be withdrawn.

Claim 9 is clarified to recite “...**in response to the recognized P2P communication**, establishing an electronic mail protocol communication between the first client and the second client, said e-mail protocol communication being **a separate connection** from the P2P communication, said e-mail protocol communication being established by Simple Mail Transport Protocol (SMTP)...” As discussed above, the cited references fail to establish the e-mail protocol communication as a separate connection from a P2P communication. In addition, the combined references of Pabla, Young, and Crocker cannot disclose the feature of establishing an

electronic mail protocol communication ... **in response to the recognized P2P communication.** Hence, for at least the reasons above, Applicants respectfully submit that the rejection of claim 9 and its dependent claims under 35 U.S.C. §103(a) should be withdrawn.

Amended claim 17 further recites a computer storage medium including computer-executable instructions facilitating authenticating a sender of a digital object **on a peer-to-peer (P2P) communication.** A separate connection of an electronic mail message communication is established in response to the recognized P2P communication. Crocker specifically falls short of this approach because it specifically teaches transmitting security key exchange via the DRS so that the key can be associated with the e-mail messages. Therefore, for at least the reasons above, Applicants respectfully submit that the rejection of claim 17 and its dependent claims under 35 U.S.C. §103(a) should be withdrawn.

Amended claim 20 recites, in part: “wherein, **in response to the recognized P2P communication,** the network interface establishes an electronic mail protocol communication between the first client and the second client, **said e-mail protocol communication being a separate connection** from the P2P communication, said e-mail protocol communication being established by Simple Mail Transport Protocol (SMTP)...” For at least the reasons above, Applicants respectfully submit that the combined references of Pabla, Young, and Crocker cannot disclose or suggest each and every element of the amended claim 20. Therefore, the rejection of claim 20 and its dependent claims under 35 U.S.C. §103(a) should be withdrawn.

Although the art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the claims. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants’ agreement therewith.

**Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.**

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

/TAN-CHI YUAN/

Tan-Chi Yuan, Reg. No. 62,449  
SENNIGER POWERS LLP  
100 North Broadway, 17th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

RMB/ATY/lav